IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

Bail Appl..No. 7828 of 2007()

[CRIME NOT REGISTERED]

: PETITIONERS

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1. SUNIL M.CHACKO, AGED 32 YEARS,
   S/O.LATE M.P.CHACKO, MUNDAKATHIL HOUSE,
   KUNTHIRIKKAL P.O., THALAVADY VILLAGE,
   KUTTANADU TALUK, ALAPPUZHA DISTRICT.

2. ALIYAMMA.K.V., W/O.LATE M.P.CHACKO,
   MUNDAKATHIL HOUSE, KUNTHIRIKKAL P.O.,
   THALAVADY VILLAGE, KUTTANADU TALUK,
   ALAPPUZHA DISTRICT.

BY ADV. SRI.P.HARIDAS

RESPONDENTS: STATE

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1. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
   KOIPPURAM POLICE STATION.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7828 of 2007

Dated this the 19th day of December 2007

O R D E R

Application for anticipatory bail. The petitioners apprehend arrest on the allegation that they have committed offence of matrimonial cruelty, non-bailable offence against Aswathy, wife of the first petitioner, whom he had married on 16/7/2007.

2. The learned Public Prosecutor, after taking instructions submits that no crime is registered and there is no intention to arrest the petitioners on the said allegations. In these circumstances, the prayer for anticipatory bail is without any merit or substance, submits the learned Public Prosecutor.

3. I take note of and record the submissions of the learned Public Prosecutor. In the light of these submissions, it is now evident that the apprehension of the petitioners is without any basis. I take note of the undertaking of the learned Public Prosecutor that the petitioners shall not be arrested on any allegation of matrimonial cruelty, against the said Aswathy, committed till this date.

4. This bail application is accordingly dismissed as agreed.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007